

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:

SONIA RENEE OSBORNE
4709 MURFREESBORO RD
FRANKLIN, TN 37064

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CASE NO. 20-03647-RM3-13

JUDGE RANDAL S MASHBURN

SSN XXX-XX-1812

THE DEADLINE FOR FILING A TIMELY RESPONSE IS 12/4/2020.

IF A RESPONSE IS TIMELY FILED THE HEARING DATE WILL BE: 12/16/2020 AT 8:30 AM via AT&T Conference Line using Call-In Number 1-888-363-4749 and Access Code 6926390#.

**NOTICE OF MOTION TO DISALLOW CLAIM OF
US BANK TRUST NA (PAYEE US BANK TRUST NA) COURT'S CLAIM #7**

Henry E. Hildebrand, III, Chapter 13 Trustee, has asked the court for the following relief: Motion To Disallow Claim of US BANK TRUST NA (PAYEE US BANK TRUST NA).

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion or if you want the court to consider your views on the motion, then on or before the response date stated above, you or your attorney must:

1. File with the court your response or objection explaining your position. Please note: the Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: <https://ecf.tnmb.uscourts.gov>.

If you need assistance with Electronic Case Filing you may call the Bankruptcy Court at (615)736-5584. The Bankruptcy Court may be visited in person at: US Bankruptcy Court, 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 A.M.- 4:00 P.M.).

2. Your response must state the deadline for filing response, the date of the scheduled hearing, and the motion to which you are responding .

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by calling the Clerk's office at 615-736-5584. If you received this notice by mail, you may have three additional days in which to file a timely response under Rule 9006(f) of the Federal Rules of Bankruptcy Procedure.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
CHAPTER 13 TRUSTEE
P O BOX 340019
NASHVILLE, TN 37203
PHONE: 615-244-1101
FAX: 615-242-3241
pleadings@ch13nsh.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:

SONIA RENEE OSBORNE
4709 MURFREESBORO RD
FRANKLIN, TN 37064

CASE NO. 20-03647-RM3-13
JUDGE RANDAL S MASHBURN

SSN XXX-XX-1812

**MOTION TO DISALLOW CLAIM OF
US BANK TRUST NA (PAYEE US BANK TRUST NA) COURT'S CLAIM #7**

Henry E. Hildebrand, III, Standing Trustee for Chapter 13 matters in the Middle District of Tennessee, respectfully requests this Court disallow the proof of claim asserted on behalf of US BANK TRUST NA (payee US BANK TRUST NA), filed as claim #7 on the Court's claims register. In support thereof, the Trustee would state as follows:

The name of the creditor on the face of the proof of claim is not supported by the documents attached. Without such documentary support, the asserted creditor lacks standing to enforce any asserted claim and, therefore, the claim should be disallowed under 11 U.S.C. § 502(b)(1). The claim also fails to satisfy Rule 3001(c), which requires that, when a claim, or an interest in property of the debtor securing the claim, is based on a writing, an original or duplicate of the writing must be filed with the proof of claim.

WHEREFORE, the premises considered, the Trustee requests that this court disallow the proof of claim asserted by US BANK TRUST NA, (payee US BANK TRUST NA), filed as claim #7 on the Court's claims register.

Respectfully submitted,

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
CHAPTER 13 TRUSTEE
P O BOX 340019
NASHVILLE, TN 37203
PHONE: 615-244-1101
FAX: 615-242-3241
pleadings@ch13nsh.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served by US Postal Service, postage prepaid on SONIA RENEE OSBORNE, 4709 Murfreesboro Rd, Franklin, TN 37064;

US BANK TRUST NA BSI FINANCIAL SERVICES, 314 FRANKLIN ST, TITUSVILLE, PA 16354;

GHIDOTTI BERGER LLP 1920 OLD TUSTIN AVE, SANTA ANA, CA 92705;

By U.S. Postal Service, certified mail:

US BANK TRUST NA BSI FINANCIAL SERVICES, 314 FRANKLIN ST, TITUSVILLE, PA 16354;

By U.S. Postal Service, certified mail:

U S BANK TRUST NATIONAL ASSOCIATION, 300 DELAWARE AVE, WILMINGTON DE 19801;

and by email by Electronic Case Noticing to US Trustee, and LEFKOVITZ AND LEFKOVITZ PLLC, Debtor's counsel

on this 4th day of November, 2020.

/s/ Henry E. Hildebrand, III

HENRY E. HILDEBRAND, III
Chapter 13 Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:)	
)	
SONIA RENEE OSBORNE)	CASE NO. 20-03647-RM3-13
4709 MURFREESBORO RD)	
FRANKLIN, TN 37064)	JUDGE RANDAL S MASHBURN
)	
SSN XXX-XX-1812)	

**ORDER TO DISALLOW CLAIM OF
US BANK TRUST NA (PAYEE US BANK TRUST NA) COURT'S CLAIM #7**

It appearing to the Court, based upon the certification of the Trustee, as indicated by his electronic signature below, that the Trustee has filed a motion seeking to disallow the claim of the below-listed creditor due to:

The name of the creditor on the face of the proof of claim is not supported by the documents attached;

that the Trustee has served notice of the motion on the claimant, the debtor and debtor's counsel, providing them the opportunity to object to the motion; and that the Trustee has received no objection to the motion as required by Rule 9014-1 of the Local Rules of the Bankruptcy Court for the Middle District of Tennessee, it is therefore

ORDERED, that the claim asserted by the creditor below is disallowed.

Creditor Name: US BANK TRUST NA (payee US BANK TRUST NA)
Court's Claim Number: 7
Account Number: xxxxxxxx4234

APPROVED FOR ENTRY:

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
CHAPTER 13 TRUSTEE
P O BOX 340019
NASHVILLE, TN 37203
PHONE: 615-244-1101
FAX: 615-242-3241
pleadings@ch13nsh.com

THIS ORDER WAS SIGNED AND ENTERED
ELECTRONICALLY AS INDICATED AT THE
TOP OF THE FIRST PAGE.